

BPCT #4



IAP7 Rec'd PCT/PTO 06 FEB 2006

24589N2PCT/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

USA PCT National Stage Patent Application  
PCT/EP2003/010253 filed September 16, 2003

Udo Suffa

Serial No.: 10/526,242

First Submission Filed: February 25, 2005

SELF-CLOSING DIAPHRAGM VALVE

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CERTIFICATE OF MAILING ON LAST PAGE  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
AND SUBMISSION OF SURCHARGE AND OTHER FEES, TRANSLATION,  
PRELIMINARY AMENDMENT AND SIGNED DECLARATION

In response to the Office Action dated December 2, 2005 copy enclosed, respectfully submitted herewith is the signed and dated Combined Declaration of the inventor (2 pages) in compliance with 37 CFR 1.63 and 37 CFR 1.66 or 37 CFR 1.68 and 37 CFR 1.497(a) and (b), identifying the application by PCT International application no. and international filing date and with power of attorney.


Respectfully presented is also the English translation (38 pages including abstract) which is believed to be an accurate translation of the PCT/EP2003/010253 application as originally filed in the German language. This translation is requested to be used as the copy for examination purposes in the Patent Office along with the simultaneously submitted Preliminary Amendment which deletes the multiple form of all multiple-dependent claims

so multiple-dependent claims do not exist in this application.  
The Preliminary Amendment includes an Abstract on a separate page to be entered simultaneously with the filing of all papers and the Preliminary Amendment is Requested to be ENTERED before calculation of claim filing fees.

Attached is check no. 16401 in the amount of \$1910.00 namely, \$860. for completion of the search and examination fees, \$130.00 for the processing fee for providing the translation later than 30 months from the priority date (37 CFR 1.492(f)), and \$130.00 for late but timely filing of the signed Combined Declaration, as well as \$850.00 for 17 additional claims in excess of 20 claims, and \$200.00 for one additional independent claim in excess of 3 independent claims.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any over-payment to deposit account no. 06-0105.


Respectfully submitted,  
Udo Suffa

by:   
MARTIN A. FARBER  
Attorney for Applicant  
Registered Representative  
Registration No. 22,345

CERTIFICATE OF MAILING UNDER 37 CFR SECTION 1.8(a)

I hereby certify that the accompanying Response to Notification of Missing Requirements under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US), signed Declaration (2 pages), English Translation (38 pages), Preliminary Amendment and check no.16401 \$1910.00 are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 1, 2006.

Dated: February 1, 2006

  
Martin A. Farber

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New York, NY 10017  
(212) 758-2878



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/526,242                  | Udo Suffa             | 24589N2PCT/US    |

| INTERNATIONAL APPLICATION NO. |
|-------------------------------|
|-------------------------------|

PCT/EP03/10253

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
| 09/16/2003       | 09/16/2002    |

MARTIN A FARBER  
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CONFIRMATION NO. 8193

371 FORMALITIES LETTER



\*OC000000017565867\*

# DUE FEB. 2, 2006

Date Mailed: 12/02/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/25/2005
- Copy of the International Search Report filed on 02/25/2005
- Oath or Declaration filed on 02/25/2005
- Request for Immediate Examination filed on 02/25/2005
- U.S. Basic National Fees filed on 02/25/2005
- Priority Documents filed on 02/25/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$860** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.
- The application search fee has not been paid. Applicant must submit **\$400** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/526,242                  | PCT/EP03/10253                | 24589N2PCT/US    |